

**DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX**

**PORT HAMILTON REFINING AND
TRANSPORTATION, LLLP,**

Plaintiff,

v.

**NATIONAL INDUSTRIAL SERVICES,
LLC,**

Defendant.

Civil Action No. 2024-0023

Attorneys:

Andrew C Simpson, Esq.

St. Croix, U.S.V.I.

For Plaintiff

Kevin F. D'Amour, Esq.

St. Thomas, U.S.V.I.

For Defendant

ORDER

THIS MATTER comes before the Court on Defendant National Industrial Services, LLC's ("NIS") Motion to Transfer Venue ("Motion to Transfer") (Dkt. No. 8); NIS' Motion to Transfer Venue (Dkt. No. 7), which is a duplicate of the Motion to Transfer but was improperly filed; Plaintiff Port Hamilton Refining and Transportation, LLLP's ("Port Hamilton") Emergency Motion to Extend Temporary Restraining Order ("Motion to Extend TRO") (Dkt. No. 11); NIS' Opposition to and Request for Hearing on Port Hamilton's Motion to Extend TRO (Dkt. No. 12); Port Hamilton's Reply to NIS' Opposition to its Motion to Extend TRO (Dkt. No. 13); NIS' Motion for Leave to File Sur-Reply to Port Hamilton's Reply to NIS' Opposition to Port Hamilton's Motion to Extend TRO ("Motion to File Sur-Reply") (Dkt. No. 16); Port

Hamilton's Opposition to NIS' Motion to File Sur-Reply (Dkt. No. 17); and Port Hamilton's Motion to Remand (Dkt. No. 18).

UPON CONSIDERATION of Defendant's Motion to Transfer, and for the reasons stated in the accompanying Memorandum Opinion filed contemporaneously herewith, it is hereby

ORDERED that NIS' Motion to Transfer (Dkt. No. 8) is **GRANTED IN PART AND DENIED IN PART**; and it is further

ORDERED that NIS' Motion to Transfer (Dkt. No. 8) is **GRANTED** to the extent that the Court will transfer this matter to the United States District Court for the Southern District of Texas; and it is further

ORDERED that NIS' Motion to Transfer (Dkt. No. 8) is **DENIED** to the extent that it seeks a transfer to the United States Bankruptcy Court for the Southern District of Texas; and it is further

ORDERED that NIS' duplicate Motion to Transfer (Dkt. No. 7) is **DENIED AS MOOT**; and it is further

ORDERED that in light of the case transfer, Port Hamilton's Motion to Extend TRO (Dkt. No. 11) and NIS' request for a hearing thereon (Dkt. No. 12) are **DENIED AS MOOT** to the extent that Port Hamilton requests a hearing and ruling from this Court on the Motion; and it is further

ORDERED that in light of the case transfer, NIS' Motion to File Sur-Reply (Dkt. No. 16) is **DENIED AS MOOT** to the extent that NIS requests a ruling from this Court on the Motion; and it is further

ORDERED that in light of the case transfer, Port Hamilton's Motion to Remand (Dkt. No. 18) is **DENIED AS MOOT**, to the extent that NIS requests a ruling from this Court on the Motion; and it is further

ORDERED that the Clerk of Court is directed to transfer this case to the United States District Court for the Southern District of Texas pursuant to 28 U.S.C. § 1412; and it is further

ORDERED that following the case transfer, the Clerk of Court is directed to mark this case **CLOSED**.

Date: October 2, 2024

_____/s/_____
WILMA A. LEWIS
District Judge